



New Law in Effect

Edible Food Donations Required

The State of California recently passed a new law (Senate Bill 1383) which requires businesses across the state to participate in a food donation program for the recovery of edible food. This initiative is necessary in order to preserve landfill space and to reduce greenhouse gas emissions - methane specifically - that result from the decomposition of food waste.

Donating edible food is a sensible way businesses like yours can reduce food waste by supporting local nonprofit organizations, food pantries, and feeding members of the community. SB 1383 requires certain businesses to develop a food donation program to maximize this resource.



IS MY BUSINESS REQUIRED TO DONATE EDIBLE FOOD?

Edible food generators are categorized as either Tier 1 or Tier 2 commercial businesses and are required to establish a food donation program by the dates listed below. The City of Burbank is available to help identify whether your business falls under the Tier 1 or Tier 2 designation.

Exemptions apply for some businesses depending on square footage, number of seats, etc.

Tier 1 Businesses

Required as of January 1, 2022



Grocery Stores
& Supermarkets

Wholesale Food Vendors



Food Distributors

Food Service Providers



Tier 2 Businesses

Required by January 1, 2024



Restaurants



Hotels



Health Facilities



State Agency
Cafeterias



Large Venues
& Events



Local Educational
Agencies

*Visit [Calrecycle.ca.gov/organics/slcp/](https://calrecycle.ca.gov/organics/slcp/)
for more information from CalRecycle on Senate Bill 1383

Steps to Comply:



Establish food donations with a food recovery organization or service

Free Careit app  is available to connect businesses to nonprofits



Donate all edible food that is fit for human consumption

No edible food may be discarded in the trash/compost



Keep all necessary records on site to demonstrate compliance with SB 1383

See Recordkeeping Requirements Checklist below

WHAT FOOD CAN BE DONATED?

Food that is fit for consumption can and should be donated. This includes food that is still edible but was not able to be sold because of surplus supply, appearance, age, freshness, grade, etc. Do not attempt to donate any food that is spoiled or otherwise unfit for consumption, or has been opened from its original packaging (unless individually wrapped), as it is not "edible".



**FOOD DONATION IS
SAFE & LEGAL!**

So long as you donate in good faith, your business is protected by California's Good Samaritan Food Donation Act & the Federal Good Samaritan Food Donation Act.

Recordkeeping Requirements Checklist

Tier 1 & Tier 2 businesses must keep the following records:

- ☐ A copy of contracts or written agreements with a food recovery service or organization
- ☐ A list of each food recovery service or organization that collects/receives edible food
- ☐ The name, address and contact information of the food recovery service or organization
- ☐ The types of food donated
- ☐ The established frequency of food donation(s)
- ☐ The quantity of food donated (must be tracked by pounds per month)



For questions please contact the City of Burbank Department of Public Works:

818-238-3900 zerowaste@burbankca.gov

www.burbankca.gov/web/public-works//sb1383-food-donation

Food Recovery and Donation Requirements for Commercial Food Generators

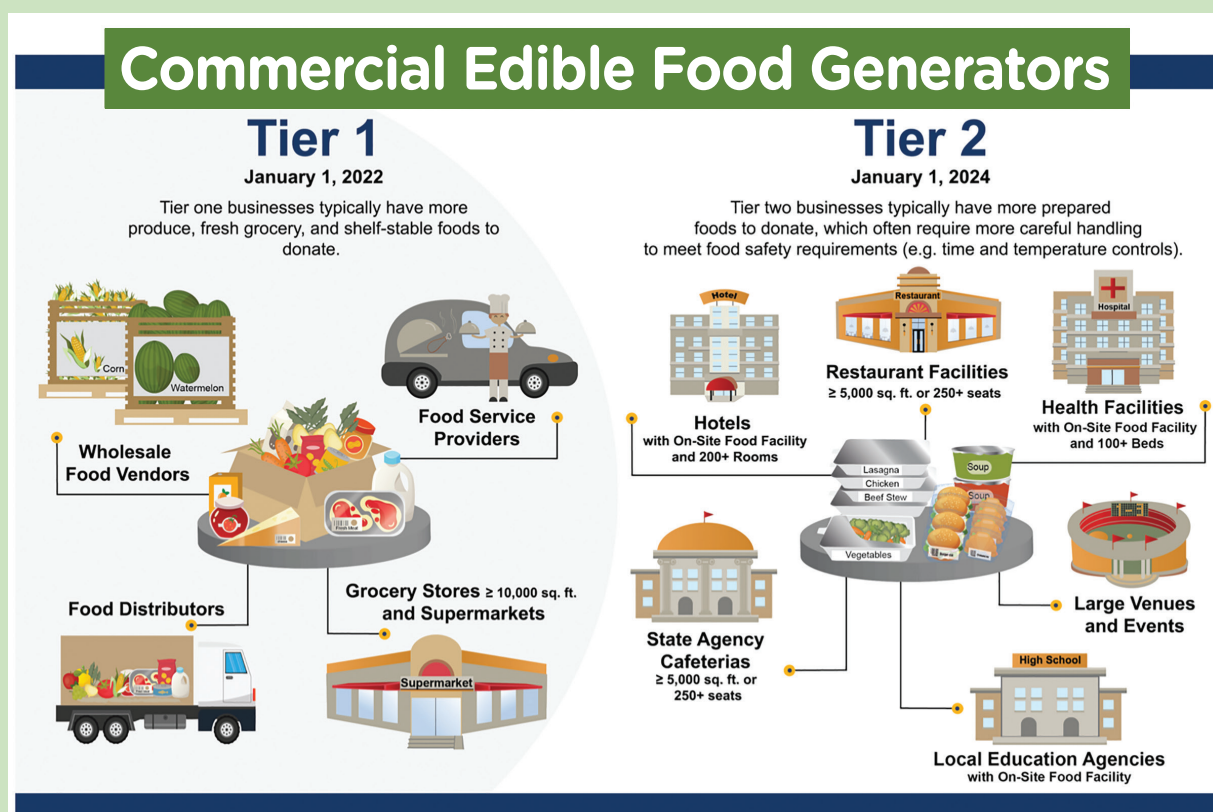
Fight Hunger and Climate Change!

SB 1383 also sets a goal to recover 20% of the edible food produced in the State that would otherwise be disposed in the landfill. To reach this goal by 2025, Tier 1 and 2 food generators (see below for categories and compliance dates) are required to donate all surplus edible food to a non-profit, secured through a written agreement.

The City of Burbank will be inspecting these donation agreements, as well as records of weights and food types donated each month.

For more information and guidance on the donation agreement please visit:

calrecycle.ca.gov/organics/slcp/foodrecovery/donors



Food Donation Resources:

- Burbank Recycle Center's SB 1383 site: **BurbankRecycle.org**
- LA County's Food Drop map: **pw.lacounty.gov/epd/sbr/food-drop.aspx**
- Los Angeles Regional County Food Bank: **lafoodbank.org**
- California Association of Food Banks: **cafoodbanks.org/our-members/**
- CalRecycle's Model Food Recovery: **calrecycle.ca.gov/organics/slcp/foodrecovery/donors**

COMPLIANCE REMINDER: Donating food does not exempt a business from SB 1383's separate organics waste collection bin mandates unless they are eligible for a waiver.

For more information on SB 1383 food donation and what is required, go to: **www.BurbankRecycle.org**



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